

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA, :

-v.- :

WILLIAM P. GENOVESE, JR., :

Defendant. :

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FINAL ORDER  
OF FORFEITURE

05 Cr. 04 (WHP)

WHEREAS, on or about January 3, 2004, WILLIAM P. GENOVESE, JR., (the "defendant") was charged in Indictment 05 Cr. 04 (WHP) (the "Indictment") with one count violating 18 U.S.C § 1832, charging the defendant with unlawful distribution of trade secrets; and

WHEREAS, pursuant to a Plea Agreement dated August 17, 2005, the defendant pled guilty to Count One of the Indictment and as part of the plea, the defendant admitted to the forfeiture allegation and agreed to forfeit to the United States, pursuant to Title 18, United States Code, Section 1834, the following:

- a. One Dell laptop computer Model PP01L, Serial Number 5JXD021;
- b. One HP Pavilion computer, Serial Number US91562786;
- c. One Generic computer tower, labeled item 7 with scorpion logo;
- d. One Linksys Wireless-G Broadband router, Serial Number CDF5-0D635390;
- e. One Sony Vaio laptop computer Model PCG-5201, Win 18 SE Product Key, JCC76-Q3YBT-GPTVQ-C4R6R-6KBJJ;
- f. One HP Pavilion laptop computer Model ZE1000, Serial Number TW22709013;
- g. One HP Pavilion computer Model 512W, Serial Number KR22400693;

- h. One AST Bravo computer Model MS-T Pro 6180, Serial Number 456AW5002253; and
- i. One Generic computer tower labeled item 6;

(collectively referred to as the "Subject Property") representing (1) any property constituting, and derived from, proceeds obtained directly and indirectly as the result of such violations; and (2) any property used, and intended to be used, in any manner and part, to commit and facilitate the commission of such violation;

WHEREAS, on February 2, 2006, the defendant was sentenced to imprisonment for a term of 24 months, including forfeiture of the Subject Property in accordance with the terms of the plea agreement;

WHEREAS, on June 15, 2006, the Court issued a Preliminary Order of Forfeiture with respect to the Subject Property. A copy of the Preliminary Order of Forfeiture is attached hereto as Exhibit A and is fully incorporated by reference herein; and

WHEREAS, the provisions of 21 U.S.C. § 853(n)(1) require publication of notice of forfeiture and of the Governments intent to dispose of the forfeited property before the United States can have clear title to the forfeited property; and

WHEREAS, notice of the forfeiture action was duly published in the New York Law Journal, once in each of three successive weeks beginning on July 17, 2006. Proof of such publication was filed with the clerk of the Court on September 15, 2006. A copy of the proof of publication is attached hereto as Exhibit B; and

WHEREAS, on June 26, 2006, notice of the forfeiture action was sent by Certified Mail to Sean Hecker, Esq., at Federal Defenders of New York, Inc., 52 Duane Street, 10<sup>th</sup> Floor, New York, New York 10007, as counsel for the defendant. He is the only person whom the Government believes may have an interest in the subject property. A copy of the notice letter is attached hereto as Exhibit C; and

WHEREAS, pursuant to 21 U.S.C. § 853(n)(7), the United States shall have clear title to any forfeited property if no petition for a hearing to contest the forfeiture has been filed within 30 days of final publication of notice of the forfeiture as set forth in 21 U.S.C. § 853(n)(2); and

WHEREAS, 30 days have expired since final publication of notice and no petition to contest the forfeiture has been filed;

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED THAT:

1. Pursuant to 21 U.S.C. § 853(n)(7) the United

States of America shall and is hereby deemed to have clear title to:

- a. One Dell laptop computer Model PP01L, Serial Number 5JXD021;
- b. One HP Pavilion computer, Serial Number US91562786;
- c. One Generic computer tower, labeled item 7 with scorpion logo;
- d. One Linksys Wireless-G Broadband router, Serial Number CDF5-0D635390;
- e. One Sony Vaio laptop computer Model PCG-5201, Win 18 SE Product Key, JCC76-Q3YBT-GPTVQ-C4R6R-6KBJJ;
- f. One HP Pavilion laptop computer Model ZE1000, Serial Number TW22709013;
- g. One HP Pavilion computer Model 512W, Serial Number KR22400693;
- h. One AST Bravo computer Model MS-T Pro 6180, Serial Number 456AW5002253; and
- i. One Generic computer tower labeled item 6;


(collectively referred to as the "Forfeited Property").

2. The United States Marshals Service shall take possession of the forfeited property and dispose of the same according to law, in accordance with 21 U.S.C. § 853(h).

The Clerk is hereby directed to send four certified copies of this Order to AUSA Lisa Korologos, United States Attorney's Office, One St. Andrews Plaza, New York, NY 10007.

Dated: New York, New York  
May 1, 2007

SO ORDERED:

  
HONORABLE WILLIAM H. PAULEY III  
UNITED STATES DISTRICT JUDGE